Rule-Making Fact Sheet
(5 MRSA §8057-A)

AGENCY: Department of Environmental Protection

NAME, ADDRESS, PHONE NUMBER OF AGENCY CONTACT PERSON: Carla J. Hopkins, #17 State House Station, Augusta, ME 04333-0017; (207) 215-3314

CHAPTER NUMBER AND RULE TITLE: 06-096 CMR 410, *Maine Solid Waste Management Rules: Composting Facilities*

STATUTORY AUTHORITY: 38 M.R.S.A. 1304(1) and PL 2011 Chapter 60 (LD 969)

DATE AND PLACE OF PUBLIC HEARING: No public hearing; comment period only

COMMENT DEADLINE: October 7, 2011

PRINCIPAL REASON OR PURPOSE FOR PROPOSING THIS RULE: PL 2011 Chapter 60 (LD 969) specifically requires that the licensing exemption threshold for the volume of Type IB and Type IC residuals composted by a farm in any 30-day period, be increased from 30 cubic yards to 60 cubic yards, as long as the farm is operated in accordance with a compost management plan approved by the Department of Agriculture, Food and Rural Resources (DAFRR).

ANALYSIS AND EXPECTED OPERATION OF THE RULE: This change in rule simply increases the licensing exemption threshold for the volume of Type IB and Type IC residuals composted by a farm in any 30-day period, from 30 cubic yards to 60 cubic yards. No change is expected to the way the rule is currently implemented.

FISCAL IMPACT OF THE RULE: The rule change does not impose additional costs on the regulated community. To the contrary, the rule proposes a new regulatory threshold that will reduce the number of composting facilities required to obtain a DEP license. There is an anticipated minor impact on department revenues (MEPF) as a result of one or two existing facilities now operating under DEP licenses and paying annual fees that will become exempt from licensing requirements. This impact is not significant.

FOR RULES WITH FISCAL IMPACT OF $1 MILLION OR MORE, ALSO INCLUDE:

ECONOMIC IMPACT, WHETHER OR NOT QUANTIFIABLE IN MONETARY TERMS:

INDIVIDUALS OR GROUPS AFFECTED AND HOW THEY WILL BE AFFECTED:

BENEFITS OF THE RULE:

Note: If necessary, additional pages may be used.